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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

GEA MECHANICAL EQUIPMENT US, INC.,

Plaintiff,

v.

FEDERAL INSURANCE COMPANY, FIRST
STATE INSURANCE COMPANY,
HARTFORD ACCIDENT AND INDEMNITY
COMPANY, HARTFORD FIRE INSURANCE
COMPANY, TRAVELERS CASUALTY AND
SURETY COMPANY (successor to AETNA
CASUALTY AND SURETY COMPANY),
WELLFLEET NEW YORK INSURANCE
COMPANY (successor to ATLANTA
INTERNATIONAL INSURANCE
COMPANY), CONTINENTAL INSURANCE
COMPANY, and XYZ INSURANCE
COMPANIES,

Defendants.

Civil Action No. 2-20-cv-09741-BRM-ESK

Motion Return Date: November 16, 2020

NOTICE OF JOINT APPEAL FROM THE
MAGISTRATE JUDGE'S
OCTOBER 8, 2020 ORDER

TO: Donald W. Kiel, Esq.
K&L Gates LLP
One Newark Center, Tenth Floor
Newark, New Jersey 07102-5252
Attorneys for Plaintiff
GEA Mechanical Equipment US, Inc.

PLEASE TAKE NOTICE that on Monday, November 16, 2020 at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned, attorneys for defendants Hartford Accident and Indemnity Company, Hartford Fire Insurance Company and First State Insurance Company (collectively, “Hartford”) and attorneys for defendants The Continental Insurance Company (“Continental”) and Wellfleet New York Insurance Company as successor to Atlanta International Insurance Company (“AIIC” and, together with Hartford and Continental, “Defendants”), shall jointly move before the Honorable Brian R. Martinotti, U.S.D.J., at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, for an Order reversing the October 8, 2020 Order of the Honorable Edward S. Kiel, U.S.M.J., and granting Defendants’ application to compel plaintiff GEA Mechanical Equipment US, Inc. to produce certain information and documents protected by the attorney-client privilege or as attorney work product.

PLEASE TAKE FURTHER NOTICE that in support of this application, Defendants shall rely on the supporting Joint Brief and Declaration of John Maloney submitted herewith, together with any papers they may submit in reply to any opposition filed.

PLEASE TAKE FURTHER NOTICE that a Proposed Form of Order is also submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendants respectfully request oral argument if any opposition is filed.

Dated: October 22, 2020

/s/ John Maloney

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